

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CRISTIAN JOB DELBOSQUE,

Petitioner,

v.

STEPHEN D. SINCLAIR,

Respondent.

CASE NO. C13-5495 BHS/KLS

ORDER GRANTING MOTION TO  
STAY MOTION TO TRANSFER

Petitioner Cristian Job Delbosque, through counsel, filed a 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus. ECF No. 1. He also filed a motion to stay the petition so that he may exhaust his state court remedies (ECF No. 10) and Respondent did not object to the stay. ECF No. 12. By Amended Order dated August 6, 2013, this matter was stayed pending resolution of the state court proceedings. ECF No. 15.

As an alternative remedy, Mr. Delbosque also filed a motion to transfer this case to the United States Court of Appeals for the Ninth Circuit as his Third Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. ECF No. 11. He now moves to stay his motion to transfer pending resolution of the state court proceedings. ECF No. 16.

Based on the Amended Order staying and abating this petition (ECF No. 15), the Court finds that the motion to stay the pending motion to transfer is reasonable and should be granted.

Accordingly, it is **ORDERED**:

1 (1) Petitioner's Motion to Stay Motion to Transfer (ECF No. 16) is **GRANTED**, the  
2 motion to transfer (ECF No. 11) is **STAYED** pending resolution of the state court proceedings,  
3 and the noting date for the motion to transfer (ECF No. 11) shall be **STRICKEN**.

4 (2) The Clerk shall send copies of this Order to Petitioner and counsel for  
5 Respondent.

6 **DATED** this 14<sup>th</sup> day of August, 2013.

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9 Karen L. Strombom  
10 United States Magistrate Judge  
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